IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CRIMINAL NO. 1:05CR253

| UNITED STATES OF AMERICA |) |
|--------------------------|---------------------|
| VS. |)) <u>ORDER</u> |
| KHARI ATIBA MERRITT |))) |

THIS MATTER is before the Court *sua sponte* to continue the sentencing hearing from the October 3, 2006, calendar.

Because this matter has been reassigned to the Honorable Frank D. Whitney,

IT IS, THEREFORE, ORDERED that this case is continued from the October 3, 2006, sentencing calendar.

Signed: August 31, 2006

Lacy H. Thornburg United States District Judge